



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 28 2016

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Registered Agent for Kohler Company  
United States Corporation Agents, Inc.  
13302 Winding Oaks Court Suite A  
Tampa, FL 33612

and

Mr. Jonathan S. Martel  
Arnold & Porter LLP  
601 Massachusetts Avenue, N.W.  
Washington, D.C. 20001-3743

Re: Request for Information Under § 208(a) of the Clean Air Act, 42 U.S.C. § 7542(a)

The United States Environmental Protection Agency ("EPA") hereby requires Kohler Company and any of its affiliates ("Kohler or "you"),<sup>1</sup> to submit certain information as part of an EPA investigation to determine your compliance with Sections 203(a)(1) and 213(d) of the Clean Air Act ("CAA"), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the applicable nonroad spark-ignition (SI) regulations at 40 C.F.R. Parts 90, 1054, and 1068. Examples of vehicles or engines regulated under these Parts include, but are not limited to, lawn mowers and generators. Appendix A provides definitions. Appendix B provides instructions for your responses to this Request for Information. Appendix C specifies the information that you must submit.

The EPA issues this Request for Information under Section 208(a) of the CAA, 42 U.S.C. § 7542(a). Under Section 208(a), the Administrator of the EPA may require any person who is subject to the CAA, 42 U.S.C. §§ 7521-7590, to perform tests and provide information necessary to determine whether the person is acting or has acted in compliance with the CAA and the regulations promulgated thereunder. The Administrator has delegated this authority to the undersigned Director of the Air Enforcement Division, Office of Enforcement and Compliance Assurance.

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<sup>1</sup> See definitions 5 and 6, in Appendix A.

You must submit this information to the EPA representative listed below within thirty (30) calendar days from the date of this Request for Information. Please carefully review the instructions, definitions, and specific requests as you prepare your response. If you anticipate being unable to fully respond to this Request for Information by this date, you must contact Ms. Jocelyn Adair by telephone at (202) 564-1011 or by email at [Adair.Jocelyn@epa.gov](mailto:Adair.Jocelyn@epa.gov) within 15 days of the date of this Request for Information and, with an appropriate justification, request an extension of time to answer some or all of the requests below. If timely submitted, the EPA will review your request and may extend the time in which your response must be provided.

Failure to provide the required information may result in the initiation of a civil action pursuant to Section 205(b) of the CAA, 42 U.S.C. § 7524(b). Failure to provide all requested information in its entirety, and in the format requested, may result in additional inquiries and penalties. It is important that your responses be clear, accurate, organized, and complete. We will regard any submitted information that is misleading, false, incomplete, or submitted without regard to its accuracy as a violation of the CAA and/or criminal statutes.

Finally, you must submit all requested information under an authorized signature with the following certification (provided in Appendix E):

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this Request for Information in an administrative, civil or criminal action.

You are entitled to assert a business confidentiality claim covering all or part of the information you submit in response to this Request for Information, in accordance with the procedures described in the Confidentiality of Business Information (“CBI”) regulations, 40 C.F.R. Part 2, Subpart B. However, no CBI claim may be made with respect to emissions data as defined at 40 C.F.R. § 2.301(a)(2). You must specify the page, paragraph and sentence when identifying the information subject to your CBI claim. Appendix D of this Request for Information specifies the assertion and substantiation requirements for business confidentiality claims. The EPA may, without further notice, provide the public with any information not subject to a CBI claim.

Please submit all requested information, via courier service or overnight delivery, to:

Jocelyn Adair, Attorney/Advisor  
Mobile Source Enforcement Branch  
U.S. Environmental Protection Agency  
WJC South Building, Room 1109A  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Any questions concerning this Request for Information should be directed to Ms. Adair at  
(202) 546-1011 or [Adair.Jocelyn@epa.gov](mailto:Adair.Jocelyn@epa.gov).

A handwritten signature in black ink, appearing to read "Phillip A. Brooks", written over a horizontal line.

Phillip A. Brooks  
Director  
Air Enforcement Division



## **Appendix A**

### **Definitions**

1. All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 et seq., or the nonroad SI engine regulations found at 40 C.F.R. Parts 90, 1054, and 1068.
2. The terms “document” and “documents” means any object that records, stores, or presents information, and includes, without limitation, email, writings, memoranda, contracts, agreements, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy shall also include attachments to or enclosures with any document.
3. The term “entity” means any natural person, corporation, partnership, limited liability company, sole proprietorship, joint venture, or any formal or informal group, organization or association.
4. The term “person” includes an individual, corporation, partnership or association (*see* Section 302(e) of the CAA, 42 U.S.C. § 7602(e)).
5. The term “you” and “your” includes, but is not limited to, Kohler, and any parent organization, affiliate, predecessor, successor, and assignee organization.
6. The term “Affiliated Organization” means any organization or entity associated with you as an agent, parent organization, predecessor corporation, subsidiary, or any organization, or entity acting in lieu of you.
7. The term “nonroad engine” means an internal combustion engine (including fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title. Section 216(10) of the CAA, 42 U.S.C. § 7550(10). In addition, “nonroad engine” is further defined and clarified at 40 C.F.R. § 1068.30
8. As defined at 40 C.F.R. § 1068.30,
  - a. The term “United States” means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the U.S. Virgin Islands.

9. As provided in 40 C.F.R. § 1054.801,

- a. The term “auxiliary emission control device” (AECD) means any element of design that senses temperature, motive speed, engine RPM, transmission gear, or any other parameter for the purpose of activating, modulating, delaying, or deactivating the operation of any part of the emission control system.
- b. The term “adjustable parameter” means any device, system, or element of design that someone can adjust (including those which are difficult to access) and that, if adjusted, may affect emissions or engine performance during emission testing or normal in-use operation. This includes, but is not limited to, parameters related to injection timing and fuel rate.
- c. The term “carryover” means relating to certification based on emission data generated from an earlier MY as described in 40 C.F.R. § 1054.235(d).
- d. The term “critical emission related component” means the following components: (1) Electronic control unit or electronic control module (ECM), aftertreatment devices, fuel-metering components, EGR-system components, crankcase-ventilation valves, all components related to charge-air compression and cooling, air filters, spark plugs, and all sensors and actuators associated with any of these components. (2) Any other component whose primary purpose is to reduce emissions.
- e. The term “deterioration factor” (DF) means the relationship between emissions at the end of useful life and emissions at the low-hour test point (*see* §§1054.220 and 1054.245), expressed in one of the following ways: (1) for multiplicative deterioration factors, the ratio of emissions at the end of useful life to emissions at the low-hour test point, or (2) for additive deterioration factor, the difference between emissions at the end of useful life and emissions at the low-hour test point.
- f. The term “emission control system” means any device, system, or element of design that controls or reduces the emissions of regulated pollutants from an engine.
- g. The term “emission-data engine” means an engine that is tested for certification. This includes engines tested to establish deterioration factors.
- h. The term “spark-ignition” (SI or S-I) means relating to a gasoline-fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark-ignition engines usually use a throttle to regulate intake air flow to control power during normal operation.



## **Appendix B**

### **Instructions for Responses**

1. Provide a complete, detailed response to each of the requests in Appendix C, below. Provide any narrative responses or lists in English, in both written document form and in electronic form using an electronic spreadsheet (*e.g.*, Word, Excel), provided you have access to spreadsheet software. Please contact Ms. Adair if providing the responses in Excel format will be an issue.
2. This Request for Information is a continuing request. You must promptly supplement your response to any request in Appendix C in the event you learn that you possess responsive information not yet produced or if you gain possession, custody, or control of responsive information after initially responding to this Request for Information.
3. For each answer, please provide the number of the request to which it responds and identify each person who provided information that was used to prepare that answer. For each document produced, please provide the number of the request to which it responds. Where information is responsive to more than one numbered request, provide that information only once, but indicate the numbers of all requests to which the information is responsive.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response is not in your possession, custody or control, indicate in your response why such documents or information is not available or in your possession, custody or control, and identify any source that either possesses or is likely to possess such information.
6. All submitted documents should be copies and not original documents.
7. Where you have previously submitted information to the EPA that is also the subject of these requests, re-submit that information in accordance with these instructions (Appendix B). Identify the material that was previously provided, the date on which it was provided, how the information was provided (*e.g.*, electronically, fax, mail), and the individual at EPA to whom it was provided.
8. Please provide two copies of your response to this Request for Information in electronic form. Please provide the Statement(s) of Certification (Appendix E) in hard copy form with two electronic copies of your response. All responsive documents and materials (*e.g.*,

copies of print media, audio and visual material) must be provided as an accurate and legible copy in searchable format, submitted on a disk (CD or DVD media), and number stamped in sequential order (*e.g.*, BATES stamped). Where spreadsheets are responsive to a request, produce them in unlocked electronic spreadsheet format, such as .xls or .csv (locked spreadsheets, .pdf files and images are unacceptable). Please contact Ms. Adair if providing the information electronically will be an issue.

9. Where a specific entity is responsible for a response to a request in Appendix C clearly indicate in your response which entity is providing the response.
10. If corporate changes relevant to any of the requests in Appendix C happened during the period of time from January 2011 to the present, including but not limited to changes occurring related to the acquisition, reorganization, or merger of Kohler, describe in a narrative these changes and provide documents and information responsive to the request for each person and for each period of time.

**Appendix C**  
**Information Request**

1. Provide the following information for every electronic fuel injected (EFI) engine that you manufactured, offered for sale, sold, or delivered for introduction into commerce in the United States for model year (MY) 2011 through 2016. Moreover, provide one spreadsheet per MY engine families for Requests for Information (RFI) Nos. 1(a) through 1(l).
  - a. The EPA Engine Family;
  - b. The engine's model;
  - c. The carryover application engine family, if any;
  - d. The place and date of manufacture;
  - e. The date and number of engines shipped from the manufacturing facility;
  - f. A "yes" or "no" explanation of whether the electronic control module (ECM) was changed during engine production. *See* RFI No. 2, if you answered "yes" to 1(f).
  - g. A "yes" or "no" explanation of whether the ECM was recalibrated during production of the engines. *See* RFI Nos. 3, if you answered "yes" to 1(g);
  - h. Date(s) of any amendment to the application for certification of the engine family for the change in ECM or ECM recalibration, and provide a copy of the amendment;
  - i. The date and number of engines shipped with the changed ECM or recalibrated ECM;
  - j. For MY 2013 and newer MY engine families, a "yes" or "no" explanation of whether 40 C.F.R. Part 1065 test procedures were used to certify the engine family. If the Part 1065 test procedures were not used, describe the test procedure that was used for certification of the engine family, explain how it differed from the Part 1065 test procedure, and if available provide test results for both procedures for comparison.
  - k. Identify each engine family's emission controls (*e.g.*, ECM, catalytic converter, oxygen sensor (O<sub>2</sub>), etc.) and specify whether or not the component was aged for DF testing;
  - l. A "yes" or "no" explanation of whether you described each AECD installed on production engines in the application for certification of the engine family.
2. If you changed the ECM during engine production, provide a detail explanation for changing the ECM, including, (i) the part number of the emission data engine's ECM; (ii) the part number of the production engines' ECM; (iii) an explanation of why the ECM was changed; and (iv) a description and the results of any test conducted on engines using the changed ECM.



3. For each MY 2016 engine family that was recalibrated, provide the following information:
  - a. All emission test results used in recalibration efforts. This includes any data or information used to modify EFI engine calibrations;
  - b. All valid baseline emission test results run on Test Cycle B, prior to any recalibration efforts;
  - c. Rationale for calibrating certified EFI engine families to run leaner and with more spark advance at speeds greater than 3100 rpm. This request pertains to the calibrations in place at the start of the 2016 MY and prior to any recalibration efforts;
  - d. Baseline fuel and spark maps for all engine models in every 2016 MY EFI engine family (maps prior to any recalibration work);
  - e. Baseline open loop information as a function of throttle position and engine rpm for all engine models in every 2016 MY EFI engine family (information prior to any recalibration work);
  - f. Latest fuel and spark maps for all recalibrated engine models in every 2016 MY EFI engine family;
  - g. Latest open loop information as a function of throttle position and engine rpm for all engine models in every 2016 MY EFI engine family;
  - h. Table showing typical manifold absolute pressure (MAP), torque, and throttle position values using the baseline calibration (prior to any calibration changes) for Modes 1-6 on Test Cycle B for all 2016 MY EFI engine families; and
  - i. Table showing typical MAP, torque, and throttle position values using the latest recalibration for Modes 1-6 on Test Cycle B for all 2016 MY EFI engine families.
4. From the document, "Kohler Bosch EFI Engines: Emission Control System and AECD," that was provided to the EPA on May 9, 2016, for engine families GKHXS.7472PH and GKHXS.7472PM, answer the following questions:
  - a. For section 1.a.i.2, Algorithms and Calculations, based on the running change submissions, there seemed to be different calibrations within families from one model to the next. Is Kohler indicating that each engine family has a single, uniform calibration for the family that is applicable to every model?
  - b. For section 1.a.i.3, Algorithms and Calculations: What is the potential emissions impact over the useful life of the engine?
  - c. For section 1.a.ii.1, Algorithms and Calculations: What are the oxygen (O<sub>2</sub>) sensor failure rates in the field? How is this tracked? What accelerated aging is done to assess long-term performance and control integrity?

- d. For Figures 1 and 2 on page 4, are the calibration differences between Figure 1 and Figure 2 intended to present the calibration for each of two engine families listed on page 1, respectively? If not, when is each calibration invoked?
  - e. For section 2.c.i, Algorithms and Calculations: Does this indicate that this is based solely on operator demand (TPS)?
  - f. For Algorithms and Calculations Figure 6: Is this spark advancement for cold temperatures / warm-up only?
  - g. On page 11, Auxiliary Emission Control Device (AECD): Over-speed Protection: At what engine speed is this activated?
  - h. On page 11, Auxiliary Emission Control Device (AECD): List all parameters stored in memory. Please advise regarding the details of the control strategy beyond just the listing of the range of correction factors.
5. For each AECD, provide the following:
- a. The sensed and controlled parameter tables for each AECD;
  - b. A statement of whether each AECD was substantially present on the Federal test procedure, and, if not, whether the AECD is justifiably necessary for engine starting, engine protection, or to prevent accidents; and
  - c. The look up tables, software code part numbers, and the ECM part numbers for both the emission data engine and the production engines.
6. Provide the following information in an electronic spreadsheet format for every carbureted engine you manufactured, offered for sale, sold, or delivered for introduction into commerce in the United States for MYs 2011 through 2016. Moreover, provide one spreadsheet per MY engine families for RFI Nos. 6(a) through 6(l).
- a. The EPA Engine Family;
  - b. The engine's model;
  - c. The carryover application engine family, if any;
  - d. The place and date of manufacture;
  - e. The date and number of engines shipped from the manufacturing facility;
  - f. A "yes" or "no" explanation of whether you changed the carburetor for any model engine during engine production. *See* RFI No. 7, if you answered "yes" to question to 6(f).
  - g. A "yes" or "no" explanation of whether you adjusted the carburetor to parameters that differed from the emission data engines during engine production. *See* RFI No. 7, if you answered "yes" to RFI No. 6(g).
  - h. Date(s) of any amendments to the application for certification of the engine family for the change in carburetor or carburetor parameter adjustments, and provide a copy of each amendment;
  - i. The date and number of engines shipped with the changed or adjusted



- carburetor;
  - j. For MY 2013 and newer MY carbureted engine families, a “yes” or “no” explanation of whether or not the 40 C.F.R. Part 1065 test procedures were used to certify the engine family. If the Part 1065 test procedures were not used, describe the test procedure that was used for certification of the engine family, explain how it differed from the Part 1065 test procedure, and if available provide test results for both procedures for comparison.
  - k. Identify each engine family’s emission control component (*e.g.*, carburetor, catalytic converter, O<sub>2</sub> sensor, etc.) and specify whether the component was properly aged for DF testing; and
  - l. A “yes” or “no” explanation of whether you described each adjustable parameter in the application for certification of the engine family.
7. If you answered “yes” to the above RFI No. 6.f or 6.g, provide a detailed explanation of the carburetor or parameter adjustments, including: (i) each emission data engine’s carburetor part number; (ii) each production model engine’s carburetor part number; (iii) a description of the parameter adjustment(s) for each emission data engine; (iv) a description of the parameter adjustment(s) for each model engine produced under the engine family; (v) an explanation of how the adjustment used on the emission data engine differed from the production engines; (vi) an explanation of why the adjustments were made; and (vii) a description and results of any tests conducted on engines using the changed carburetor or modified parameter adjustments.
8. For each MY 2015 and older MY EFI engine family, provide all of the same information and level of detail as provided in the document, “Kohler Bosch EFI Engines: Emission Control System and AECD” (May 9, 2016).
9. For each MY 2015 and older MY EFI engine family that was recalibrated, provide the following information:
- a. All emission test results used in recalibration efforts, including any data or information used to modify EFI engine calibrations;
  - b. Rational for recalibrating the engine(s);
  - c. Baseline fuel and spark maps for each MY engine family (maps prior to any recalibration);
  - d. The fuel and spark maps for all recalibrated engine models for each MY engine family;
  - e. Open loop information as a function of throttle position and engine rpm for all engine models in each MY engine family;
  - f. Table showing typical manifold absolute pressure (MAP), torque, and throttle position values using the baseline calibration (prior to any calibration changes); and



- g. Table showing typical MAP, torque, and throttle position values using the recalibration(s).

## **Appendix D**

### **Confidential Business Information**

You may assert a business confidentiality claim covering all or part of the information you provide in response to this Request for Information for any business information entitled to confidential treatment under Section 208(c) of the CAA, 42 U.S.C. § 7542, and 40 C.F.R. Part 2, subpart B. Under Section 208(c) of the CAA, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.” See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 208(c) of the CAA and 40 C.F.R. Part 2, subpart B. EPA will construe your failure to furnish a business confidentiality claim with your response to this Request for Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this Request for Information. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e), (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, (3) the information is not and has not been reasonably obtainable by legitimate means without your consent, and (4) the disclosure of the information is likely to cause substantial harm to your business competitive edge. See 40 C.F.R. §§ 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7542(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this Request for Information, in accordance with 40 C.F.R.

§ 2.204(e)(4), the EPA is requesting that you answer the following requests with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.
2. For what period of time do you request that the information be maintained as confidential (*e.g.*, until a certain date, until the occurrence of a specified event or permanently)? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you have specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effect. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding requests? If so, you may provide such additional explanation.

You must furnish comments to the above requests concurrent with your response to this Request for Information if you have claimed any information as business confidential. See 40 C.F.R.

§ 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality



claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Jocelyn Adair, Attorney/Advisor  
Mobile Source Enforcement Branch  
U.S. Environmental Protection Agency  
WJC South Building, Room 1109A t  
Washington, D.C. 20004

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these requests, as provided in 40 C.F.R. § 2.203(b). Information covered by such a business confidentiality claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 208(c) of the CAA and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

**Appendix E**  
**Statement of Certification**

You are submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA") Request for Information, issued pursuant to Section 208(a) of the Clean Air Act, to determine compliance with the Clean Air Act and its affiliated regulations.

I certify that I am fully authorized by \_\_\_\_\_ [corporate affiliation] to provide the above information on its behalf to EPA.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

Date: \_\_\_\_\_

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

**CERTIFICATE OF MAILING**

I, Tawanna Cathey, certify that I sent a Request for Information pursuant to Section 208 of the Clean Air Act by Certified Mail, Return Receipt requested, to:

Registered Agent for Kohler Company  
United States Corporation Agents, Inc.  
13302 Winding Oaks Court Suite A  
Tampa, FL 33612

and

Mr. Jonathan S. Martel  
Arnold & Porter LLP  
601 Massachusetts Avenue, N.W.  
Washington, D.C. 20001-3743

On the 28<sup>th</sup> day of July, 2016.

  
Tawanna Cathey, Secretary  
U.S. Environmental Protection Agency

United States Corporation Agents, Inc.  
Certified Mail Receipt Number: 70083230000093946910

and

Mr. Jonathan S. Martel  
Certified Mail Receipt Number: 70083230000093946927